

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

GM PHOTO, LLC, a New Jersey limited
liability company,

Plaintiff,

-against-

FOCUS CAMERA, INC., a New York
corporation, MICHAEL SILBERSTEIN, an
individual, and CHASSY KIRZNER, an
individual,

Defendants.

Case No. 1:22-cv-10339

**[PROPOSED] PRELIMINARY
INJUNCTION**

Plaintiff's motion for preliminary injunction is granted to the following extent:

During the pendency of this action, Defendants Focus Camera, Inc., Michael Silberstein, and Chassy Kirzner ("Defendants"), along with their officers, agents, servants, employees, and attorneys and all other persons who are in active concert or participation with her and them, are enjoined pursuant to Federal Rule of Civil Procedure 65 from taking any of the following actions:

(1) Defendants must cease making false counterfeit claims to Amazon or any other seller/marketplace; and

(2) Defendants must take no acts to shut down GM Photo's account on Amazon.

IT IS FURTHER ORDERED that waiver of the bond requirement is appropriate. This injunction will cause Defendants no prejudice. Rather, Defendants will be able to carry on with their lawful business activities. *Gov't Emps. Ins. Co. v. Mayzenberg*, No. 17-CV-2802, 2018 WL 6031156, at *10. (E.D.N.Y. Nov. 16, 2018); *Gov't Emps. Ins. Co. v.*

Wellmart RX, Inc., 435 F. Supp. 3d 443, 456 (E.D.N.Y. 2020) (waiving security requirement where injunction would cause no prejudice to defendants).

IT IS FURTHER ORDERED that Defendants must file with the Court within thirty days after the entry of the injunction a report in writing and under oath setting forth in detail the manner and form in which Defendants have complied with the injunction; and

IT IS FURTHER ORDERED, this preliminary injunction shall remain in full force and effect until the final judgment in this action is entered, unless otherwise ordered by the Court.

DATED: _____, 202_
New York, New York

UNITED STATES DISTRICT JUDGE